



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 91,875-J)

PATENT

In application of:

McBride and Dean

Serial No. 08/253,973

Filed: June 3, 1994

For: Monoamine, Diamide, Thiol-containing Metal Chelating Agents

Before the Examiner:

M. Hartley

Group Art Unit: 1211

**REQUEST TO WITHDRAW FINALITY OF FINAL REJECTION
PURSUANT TO 37 C.F.R. §1.129(a)**

Assistant Commissioner of Patents
BOX AFTER FINAL
Washington, D.C. 20231

Sir:

Applicants hereby request that the Response submitted herewith be considered a "First Submission after Final Rejection," pursuant to the provisions of 37 C.F.R. §1.129(a), that the finality of the instant Final Rejection be automatically withdrawn, and that the amendments and remarks submitted herewith be considered on the merits. Applicants assert that this application was filed before June 8, 1995; the application claims priority to an application that has been pending before the U.S. Patent and Trademark Office since before June 8, 1993 (U.S. Serial No. 07/807,062, filed November 27, 1991, now U.S. Patent 5,443,815, issued August 22, 1995); an appeal brief has not been filed; the case has not been abandoned; and this submission is accompanied by a check in the appropriate amount as specified under 37 C.F.R. §1.17(r).

12/18/1997 NVILLARI 00000012 08253973
03 FC:246 395.00 OP

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: December 16, 1997

By:

Kevin E. Noonan, Ph.D.
Reg. No. 35,303



PATENT

McBride and Dean

Serial No. 08/253,973

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For: Monoamine, Diamide, Thiol-containing Metal Chelating Agents

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TRANSMITTAL LETTER

Assistant Commissioner of Patents
BOX AFTER FINAL
Washington, D.C. 20231

DEC 29 1957

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Response to Official Action and Rule 132 Declaration
 - b. Petition for Three Month Extension of Time
 - c. Notice of Appeal
 - d. Request for Withdrawal of Finality of Rejection
 - e. Associate Power of Attorney
2. With respect to additional fees:
 - a. An additional fee of \$1025.00 is required.
3. Enclosed please find a check in the amount of \$1025.00.
4. Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.
5. CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this Transmittal Letter and this paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service, as Express Mail, in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on this 16th day of December 1997.

By:

Kevin E. Noonan, Ph.D.
Reg No. 35,303



CERTIFICATE OF MAILING

PATENT

Express Mail No. EM188672868US

Deposited: December 16, 1997

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Karl Woods

In re the Application of: McBride and Dean

For: Monoamine, Diamide, Thiol-containing Metal Chelating Agents

Serial no. 08/253,973

- ☒ Transmittal Letter
- ☒ Amendment Pursuant to 37 C.F.R. 1.116
- ☒ Rule 132 Declaration
- ☒ Petition for Three Month Extension of Time
- ☒ Notice of Appeal
- ☒ Request for Withdrawal of Finality of Rejection
- ☒ Associate Power of Attorney
- ☒ Filing Fee check in the amount of \$1025.00
- ☒ Return postcard

Attorney Docket No. 91,875-J